

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Verizon Telephone Companies)	
)	WC Docket No. 03-157
Petition for Forbearance from the)	
Current Pricing Rules for the)	
Unbundled Network Element Platform)	
_____)	

**COMMENTS OF THE
UNITED STATES TELECOM ASSOCIATION**

The United States Telecom Association (USTA),¹ through the undersigned and pursuant to Federal Communications Commission (FCC or Commission) Rules 1.415 and 1.419,² hereby submits its comments in response to the *Public Notice*³ in the above-docketed proceeding.⁴ In its Petition, Verizon notes the Commission's intent to move forward with a proceeding to reform its current total element long-run incremental cost (TELRIC) pricing rules and requests that the Commission undertake interim steps to alleviate certain of the harmful effects of these rules. Specifically, Verizon asks the Commission to forbear from its rules that require TELRIC pricing to be applied to unbundled network element platform (UNE-P) facilities and to forbear from its rules that permit carriers offering service over purchased UNE-P facilities – rather than the

¹ USTA is the Nation's oldest trade organization for the local exchange carrier industry. USTA's carrier members provide a full array of voice, data and video services over wireline and wireless networks.

² 47 C.F.R. §§ 1.415 and 1.419.

³ *Public Notice*, WC Docket No. 03-157, DA 03-2189 (rel. July 3, 2003) soliciting comment on Verizon's Petition for Expedited Forbearance From the Commission's Current Pricing Rules for the Unbundled Network Element Platform (*Public Notice*).

carriers that provide the underlying facilities for UNE-P – to collect access charges from interexchange carriers (IXCs).

USTA urges the Commission to expeditiously initiate and move forward with a rulemaking to reform its current TELRIC pricing rules. USTA also urges the Commission to grant the interim relief requested in the Verizon Petition on the basis that Verizon has demonstrated a justifiable need for the relief and that Verizon has met the forbearance requirements of Section 10 of the Communications Act of 1934, as amended (Act).

While there are numerous harmful effects of the Commission's TELRIC pricing rules, Verizon has identified several particularly harmful effects with regard to UNE-P facilities, forbearance from which will help ameliorate such effects. Verizon notes that the rules have resulted in a devaluing of existing investments in telecommunications infrastructure as well as a decline in investment in the telecommunications industry, both of which impede economic growth. Verizon also notes that the rules have resulted in reduced facilities-based competition as well as a hindrance to development of a wholesale market. Yet, forbearance of the TELRIC pricing rules with regard to UNE-P facilities and forbearance of the rules permitting carriers that provide service over UNE-P facilities to collect access charges (and recognizing that carriers providing the underlying facilities for UNE-P are the carriers actually providing the exchange access and thus entitled to collect access charges) will provide some relief while the Commission reforms its TELRIC pricing rules.

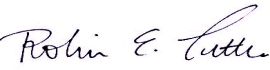
⁴ Verizon Telephone Companies Petition for Forbearance from the Current Pricing Rules for the Unbundled Network Element Platform, WC 03-157, filed July 1, 2003 (Petition).

Verizon has clarified the authority of the Commission to act on its specific forbearance requests regarding TELRIC pricing and access charges associated with UNE-P facilities and Verizon has detailed how the forbearance requirements of Section 10 of the Act have been met.

For the above reasons, USTA urges the Commission to grant the relief requested by Verizon in its Petition.

Respectfully submitted,

UNITED STATES TELECOM ASSOCIATION

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CERTIFICATE OF SERVICE

I, Meena Joshi, do certify that on August 18, 2003, the afore-mentioned Comments of The United States Telecom Association was electronically mailed to the following parties.

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